

### **REMARKS**

Claims 1-5, 8 and 20-34 are pending in the present application. By this reply, new claims 32-34 have been added, and claim 20 was amended to address antecedent basis concerns. No new matter is added by the present Amendment. Claims 1, 20 and 21 remain independent.

#### **Interview Conducted on December 21, 2007**

Applicants' representative thank the Examiner for the personal interview conducted on December 21, 2007 at the USPTO, and for the Interview Summary provided at the end of the interview. During the interview, patentable distinctions of the claimed invention were discussed, which was agreed by the Examiner. Thus, the Interview Summary states on page 2, "The arguments overcome the current rejection of Takano et al. The search must be updated to focus on these features before a final decision can be made on the case."

Applicants highlight below some of the patentably distinguishing features of the claimed invention that were discussed during the interview. Thus, all current rejections should be withdrawn and it is believed the application is in condition for allowance.

#### **35 U.S.C. § 102 & § 103 Rejection**

Claims 1-5, 20-22, 24-25, 27-28 and 30-31 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Takano et al. Claim 8 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takano et al. in view of Hwang et al. Claims 23, 26 and 29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takano et al. These rejections are respectfully traversed.

Independent claim 1 recites, *inter alia* "wherein the management information includes two entries, the first entry includes start address information of the specified area requested to be overwritten and start address information of the replacement-recorded area, and the second entry includes end address information of the specified area requested to be overwritten and end address information of the replacement-recorded area". Other independent claims 20 and 21 recite similar features.

As discussed during the interview and agreed by the Examiner, Takano et al. does not teach or suggest at least these features recited in each independent claim. Particularly, Takano's "entry" contains a start block location and a last block location of a file. Thus, there is no entry in Takano which includes two start address information ("start address information of the specified area requested to be written and start address information of the replacement-recorded area" in claim 1). Further, there is no entry in Takano which includes two end address information ("end address information of the specified area requested to be written and end address information of the replacement-recorded area" in claim 1).

Moreover, Takano is not concerned with the replacement-recording operation as in Applicants' invention. In the replacement-recording operation of the present invention, if a defective cluster or area is found, then a replacement area which is to replace the defective area is provided and data to be written in the defective area is recorded in the replacement area. These features and the management information entries associated with the replacement-recording operation are not disclosed in Takano et al.

Therefore, Takano et al. does not teach or suggest the invention as set forth in independent claims 1, 20 and 21 and their dependent claims (due to the dependency), and the rejections are improper and should be withdrawn.

Regarding the rejection of dependent claim 8, the secondary reference, Hwang et al., does not correct these deficiencies of Takano et al. Further, Applicants believe Hwang et al. can be eliminated as a proper prior art reference by filing a certified English translation of the foreign priority document(s). Applicants plan to file such translation if the rejection is maintained in view of Hwang et al. in the future.

Accordingly, all rejections should be withdrawn, as was agreed during the interview.

### New Claims

New claims 32-34 further define the invention as set forth in independent claims 1, 20 and 21 and are allowable at least for the same reasons that their independent claims are allowable as discussed above. Accordingly, indication of allowance of these dependent claims is respectfully requested.

**CONCLUSION**

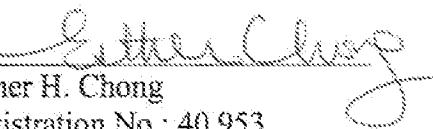
For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and an early issuance of a Notice of Allowance is respectfully requested.

Should there be any matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By   
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